

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:

HYACINTH SIMMS

Debtor,

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HYACINTH SIMMS,

Plaintiff,

-against-

JP MORGAN CHASE BANK, TOWER GROUP, INC.  
MORANT INSURANCE AGENCY INC., AFFILIATED  
ADJUSTMENT GROUP LTD., ASSURANT PROPERTY  
ADVANTAGE A/K/A ASSURANT SPECIALTY  
PROPERTY'S LENDING, SOLUTIONS GROUP, C.J.  
RUBINO & COMPANY, INC., MSW ADJUSTMENT  
GROUP, INC., DG CUSTOM BUILT HOMES &  
REMODELING,

Defendants.  
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Case No. 23-40070-NHL

Adv. Pro. No. 23-01070-NHL

**ORDER DISMISSING  
PLAINTIFF'S  
COMPLAINT AS  
AGAINST DEFENDANT  
CJ RUBINO &  
COMPANY, INC., WITH  
PREJUDICE**

CHAPTER 13  
HON. NANCY H.  
LORD

**THIS MATTER** having been opened to the Court upon the Notice of Motion by Defendant, CJ RUBINO & COMPANY, INC. (hereinafter "CJ Rubino"), for Dismissal of the Complaint filed by Plaintiff, Hyacinth Simms, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable to this Adversary Proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure, and with the Court having carefully reviewed and considered all moving and opposing papers; and finding good cause existing for the entry hereof,

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, **ORDERED THAT:**

1. CJ Rubino's Motion be and same is hereby granted in its entirety;
2. The Complaint including each and every cause of action therein shall be dismissed as against CJ Rubino, with prejudice.

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Hon. Nancy Hershel Lord, U.S.B.J